

Remarks

The Office Action dated October 18, 2005 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-16, 18, 19, and 27-41 are now pending in this application. Claims 33-37 are allowed. Claims 1-16, 18-19, and 27-32 are rejected. Claims 17 and 20-26 have been canceled. Claims 1, 3, 7, and 8 have been amended. No new matter has been added. No fees are due for the newly added claims.

The rejection of Claims 1-3, 6, 8-12, and 27-32 under 35 U.S.C. § 103(a) as being unpatentable over Bergman (U.S. Patent No. 5,686,885) in view of Di Santo et al. (U.S. Patent No. 6,430,691), is respectfully traversed.

Bergman describes a system controller (14) that displays a message on its visual display indicating to a user that a battery in a smoke sensor is in a low voltage condition. The system controller reports the low battery voltage condition to a central station by a telephone line. A repairman may be sent to replace the battery in the smoke sensor.

Di Santo et al. describe a device that includes at least three input/output (I/O) ports. The ports include a line port, a phone port, and a data port. The line port is coupled to a communications network, while the phone port is coupled to a telephone and/or facsimile machine. A microprocessor is coupled to a local modem, a remote modem, an audio codec and an encryption/decryption unit, for operating the device in a first mode, a second mode, a third mode, and a fourth mode.

Claim 1 recites a phone-interface device, comprising “a receiver configured to receive a wireless signal from a control panel that receives signals from at least two sensors and that determines whether to send an alarm report to said phone interface device, wherein the wireless signal from the control panel encodes information regarding a sensor event monitored by a monitoring station; a phone port configured to connect to a telephone line and to receive configuration data from the monitoring station, wherein the phone-interface device including the receiver and the phone port is a device separate than the control panel that receives the signals from the at least two sensors; a power supply comprising the telephone line; and a controller

comprising a processor configured to receive, via the telephone line, power used to energize a component.”

Neither Bergman nor Di Santo et al., considered alone or in combination, describe or suggest a phone-interface device as recited in Claim 1. Specifically, neither Bergman nor Di Santo et al., considered alone or in combination, describe or suggest a controller including a processor configured to receive, via the telephone line, power used to energize a component. Rather, Bergman describes a system controller that displays a message on a visual display indicating that a battery in a smoke sensor is in a low voltage condition. The system controller reports the low battery voltage condition to a central station by a telephone line. A description of the system controller that reports the low battery voltage condition by a telephone line does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. Di Santo et al. describe a device that includes a phone port that is coupled to a telephone and/or facsimile machine. Di Santo et al. also describe a microprocessor is coupled to a local modem, a remote modem, an audio codec and an encryption/decryption unit, for operating the device in a first mode, a second mode, a third mode, and a fourth mode. A description of the microprocessor for operating the device in a first mode, a second mode, a third mode, and a fourth mode does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. Accordingly, neither Bergman nor Di Santo et al., considered alone or in combination, describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. For the reasons set forth above, Claim 1 is submitted to be patentable over Bergman in view of Di Santo et al.

Claims 2, 3, 6, and 27-29 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2, 3, 6, and 27-29 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 3, 6, and 27-29 likewise are patentable over Bergman in view of Di Santo et al.

Claim 8 recites a phone-interface device, comprising “a phone port configured to connect to a telephone line and to receive configuration data from a monitoring station, wherein the monitoring station monitors a sensor event based on signals generated by a sensor; a transmitter configured to send the configuration data via a

wireless signal to a control panel, wherein the control panel is configured to receive the signals from the sensor, and the phone-interface device including the transmitter and the phone port is a device separate than the control panel that receives the signals from the sensor; a power supply comprising the telephone line; and a controller comprising a processor configured to receive, via the telephone line, power used to energize a component.”

Neither Bergman nor Di Santo et al., considered alone or in combination, describe or suggest a phone-interface device as recited in Claim 8. Specifically, neither Bergman nor Di Santo et al., considered alone or in combination, describe or suggest a controller including a processor configured to receive, via the telephone line, power used to energize a component. Rather, Bergman describes a system controller that displays a message on a visual display indicating that a battery in a smoke sensor is in a low voltage condition. The system controller reports the low battery voltage condition to a central station by a telephone line. A description of the system controller that reports the low battery voltage condition by a telephone line does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. Di Santo et al. describe a device that includes a phone port that is coupled to a telephone and/or facsimile machine. Di Santo et al. also describe a microprocessor is coupled to a local modem, a remote modem, an audio codec and an encryption/decryption unit, for operating the device in a first mode, a second mode, a third mode, and a fourth mode. A description of the microprocessor for operating the device in a first mode, a second mode, a third mode, and a fourth mode does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. Accordingly, neither Bergman nor Di Santo et al., considered alone or in combination, describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. For the reasons set forth above, Claim 8 is submitted to be patentable over Bergman in view of Di Santo et al.

Claims 9-12 and 30-32 depend from independent Claim 8. When the recitations of Claims 9-12 and 30-32 are considered in combination with the recitations of Claim 8, Applicants submit that dependent Claims 9-12 and 30-32 likewise are patentable over Bergman in view of Di Santo et al.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-3, 6, 8-12, and 27-32 be withdrawn.

The rejection of Claims 4-5 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Bergman in view of Di Santo et al. and further in view of Rubbmark et al. (U.S. Patent 6,012,105), is respectfully traversed.

Bergman and Di Santo et al. are described above.

Rubbmark et al. describe a clock synchronization mechanism. Using the clock synchronization mechanism during a plurality of bit-by-bit data transfers, a device can slow down data transfers over a bus. By extending each clock during a low binary state, the device attached to the bus can adaptively change its data transfer rate.

Claims 4-5 and 7 depend indirectly from independent Claim 1 which recites a phone-interface device, comprising “a receiver configured to receive a wireless signal from a control panel that receives signals from at least two sensors and that determines whether to send an alarm report to said phone interface device, wherein the wireless signal from the control panel encodes information regarding a sensor event monitored by a monitoring station; a phone port configured to connect to a telephone line and to receive configuration data from the monitoring station, wherein the phone-interface device including the receiver and the phone port is a device separate than the control panel that receives the signals from the at least two sensors; a power supply comprising the telephone line; and a controller comprising a processor configured to receive, via the telephone line, power used to energize a component.”

None of Bergman, Di Santo et al., and Rubbmark et al., considered alone or in combination, describe or suggest a phone-interface device as recited in Claim 1. Specifically, none of Bergman, Di Santo et al., and Rubbmark et al., considered alone or in combination, describe or suggest a controller including a processor configured to receive, via the telephone line, power used to energize a component. Rather, Bergman describes a system controller that displays a message on a visual display indicating that a battery in a smoke sensor is in a low voltage condition. The system controller reports the low battery voltage condition to a central station by a telephone line. A description of the system controller that reports the low battery voltage

condition by a telephone line does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. Di Santo et al. describe a device that includes a phone port that is coupled to a telephone and/or facsimile machine. Di Santo et al. also describe a microprocessor is coupled to a local modem, a remote modem, an audio codec and an encryption/decryption unit, for operating the device in a first mode, a second mode, a third mode, and a fourth mode. A description of the microprocessor for operating the device in a first mode, a second mode, a third mode, and a fourth mode does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. Rubbmark et al. describe a device that slows down data transfers over a bus by extending each clock during a low binary state. Accordingly, none of Bergman, Di Santo et al., and Rubbmark et al., considered alone or in combination, describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. For the reasons set forth above, Claim 1 is submitted to be patentable over Bergman in view of Di Santo et al. and further in view of Rubbmark et al.

When the recitations of Claims 4-5 and 7 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 4-5 and 7 likewise are patentable over Bergman in view of Di Santo et al. and further in view of Rubbmark et al.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 4-5 and 7 be withdrawn.

The rejection of Claims 13-16 and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Bergman in view of Di Santo et al. and further in view of McClure (U.S. Patent 5,923,731), is respectfully traversed.

Bergman and Di Santo et al. are described above.

McClure describes a system that includes a measuring device to check voltages on a plurality of telephone lines. The check is performed to detect circumstances such as cut telephone lines and off-hook conditions. The system also

has a monitoring system to detect voice activity and energy on an off-hook line, such as whether an inactive connection exists.

Claims 13-16 and 18-19 depend, directly or indirectly from independent Claim 8 which recites a phone-interface device, comprising “a phone port configured to connect to a telephone line and to receive configuration data from a monitoring station, wherein the monitoring station monitors a sensor event based on signals generated by a sensor; a transmitter configured to send the configuration data via a wireless signal to a control panel, wherein the control panel is configured to receive the signals from the sensor, and the phone-interface device including the transmitter and the phone port is a device separate than the control panel that receives the signals from the sensor; a power supply comprising the telephone line; and a controller comprising a processor configured to receive, via the telephone line, power used to energize a component.”

None of Bergman, Di Santo et al., and McClure, considered alone or in combination, describe or suggest a phone-interface device as recited in Claim 8. Specifically, none of Bergman, Di Santo et al., and Rubbmark et al., considered alone or in combination, describe or suggest a controller including a processor configured to receive, via the telephone line, power used to energize a component. Rather, Bergman describes a system controller that displays a message on a visual display indicating that a battery in a smoke sensor is in a low voltage condition. The system controller reports the low battery voltage condition to a central station by a telephone line. A description of the system controller that reports the low battery voltage condition by a telephone line does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. Di Santo et al. describe a device that includes a phone port that is coupled to a telephone and/or facsimile machine. Di Santo et al. also describe a microprocessor is coupled to a local modem, a remote modem, an audio codec and an encryption/decryption unit, for operating the device in a first mode, a second mode, a third mode, and a fourth mode. A description of the microprocessor for operating the device in a first mode, a second mode, a third mode, and a fourth mode does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. McClure describes a measuring device that checks voltages on a plurality of telephone

lines. The check is performed to detect circumstances such as cut telephone lines and off-hook conditions. McClure also describes a monitoring system to detect voice activity and energy on an off-hook line. A description of the measuring device that checks voltages and the monitoring system that detects energy on an off-hook line does not describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. Accordingly, none of Bergman, Di Santo et al., and McClure, considered alone or in combination, describe or suggest a processor configured to receive, via the telephone line, power used to energize a component. For the reasons set forth above, Claim 1 is submitted to be patentable over Bergman in view of Di Santo et al. and further in view of McClure.

When the recitations of Claims 13-16 and 18-19 are considered in combination with the recitations of Claim 8, Applicants submit that dependent Claims 13-16 and 18-19 likewise are patentable over Bergman in view of Di Santo et al. and further in view of McClure.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 13-16 and 18-19 be withdrawn.

Moreover, Applicants respectfully submit that the Section 103 rejections of Claims 1-16, 18, 19, and 27-37 are not proper rejections. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. None of Bergman, Di Santo et al., Rubbmark et al., and McClure, considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Bergman with Di Santo et al., Rubbmark et al., or McClure because there is no motivation to combine the references suggested in the cited art itself.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both

found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

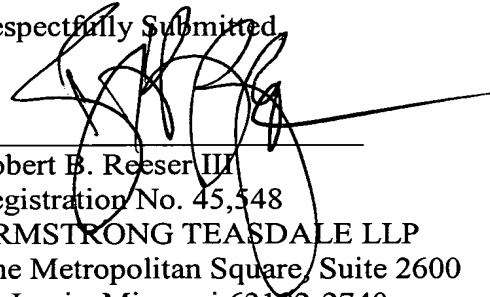
Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejections are based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Bergman teaches a system controller that displays a message on a visual display indicating that a battery in a smoke sensor is in a low voltage condition. The system controller reports the low battery voltage condition to a central station by a telephone line. Di Santo et al. teach a device that includes a phone port that is coupled to a telephone and/or facsimile machine. Di Santo et al. also teach a microprocessor is coupled to a local modem, a remote modem, an audio codec and an encryption/decryption unit, for operating the device in a first mode, a second mode, a third mode, and a fourth mode. McClure teaches a measuring device that checks voltages on a plurality of telephone lines. The check is performed to detect circumstances such as cut telephone lines and off-hook conditions. McClure also teaches a monitoring system to detect voice activity and energy on an off-hook line. Rubbmark et al. teach a device that slows down data transfers over a bus by extending each clock during a low binary state. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejections appear to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejections of Claims 1-16, 18, 19, and 27-37 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejections of Claims 1-16, 18, 19, and 27-37 under 35 U.S.C. 103(a) be withdrawn.

Newly added Claims 38-41 depend from independent Claim 1, which is submitted to be in condition for allowance and is patentable over the cited art. For at least the reasons set forth above, Applicants respectfully submit that Claims 38-41 are also patentable over the cited art.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Robert B. Reeser III
Registration No. 45,548
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070